

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ANTWAN WILLIAMS BACON,

Plaintiff,

Case No. 1:21-cv-188

v.

HONORABLE PAUL L. MALONEY

MIDWESTERN PET FOOD INC., et al.,

Defendants.

/

ORDER ADOPTING REPORT AND RECOMMENDATION

Plaintiff filed his lawsuit on January 28, 2021, in the Eastern District of Michigan. On February 26, 2021, the matter was transferred to this district under 28 U.S.C. § 1406(a). Defendants filed a motion for summary judgment. The matter was referred to the Magistrate Judge, who construed the motion as a motion to dismiss, issued a Report and Recommendation on August 9, 2021, recommending that this Court grant the motion and enter judgment. The Report and Recommendation was duly served on the parties. No objections have been filed. *See* 28 U.S.C. § 636(b)(1). Therefore,

IT IS HEREBY ORDERED that the Report and Recommendation (ECF No. 24) is APPROVED and ADOPTED as the Opinion of the Court.

IT IS FURTHER ORDERED that the Motion to Dismiss (ECF No. 19) is GRANTED.

IT IS FURTHER ORDERED that this Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that an appeal of this decision would not be taken in good faith. *See McGore v. Wigglesworth*,

114 F.3d 601, 610-11 (6th Cir. 1997), overruled on other grounds by *Jones v. Bock*, 549 U.S. 199, 206, 211-12 (2007).

A Judgment will be entered consistent with this Order.

Dated: September 1, 2021

/s/ Paul L. Maloney
Paul L. Maloney
United States District Judge